

III. Rejection of Claims 1, 5, 13-15, 17-19 and 21 under 35 U.S.C. § 103(a)

The Office Action rejected claims 1, 5, 13-15, 17-19 and 21 under 35 U.S.C. section 103(a) as being unpatentable over Lewis (1947).

Page 3 of the Office Action notes that Lewis discloses media comprising 0.1% Peptecase (a tryptic digest of casein) and that the media of Lewis can contain less than 1% animal product.

Page 4 of the Office Action indicates that a claim drawn to a fermentation medium free of animal product will distinguish over Lewis.

Claims 1, 5, 13-15, 17-19 and 21 have been amended to limit the claims to a fermentation medium free of animal product, so therefore the rejection should be withdrawn and the claims allowed.

Support for the claim amendment a fermentation medium which is "free of an animal product" can be found in at least Examples 3, 4 and 5 on pages 29-35 of the specification, all of which disclose animal product free fermentation media.

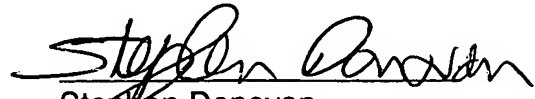
The claim limitation "wherein the culturing is performed until cell density of the fermentation medium decreases due to cell lysis" has been deleted from the claims because this limitation was added to the claims in response to the previous (February 17, 2006) office action and adding this limitation do not result in allowance of the claims.

IV. Conclusion

All issues raised by the Office Action have been addressed. Examination and allowance of claims 1, 5, 13-15, 17-19 and 21 is requested.

Respectfully Submitted,

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Stephen Donovan  
Registration Number 33,433

Please direct all correspondence to:  
Stephen Donovan  
Allergan, Inc. T2 7H  
Tower Two, Seventh Floor  
2525 Dupont Drive  
Irvine, California 92612

Telephone: 714.246.4026  
Fax: 714.246.4249

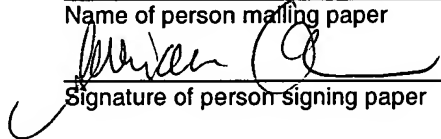
CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that this Transmittal Letter, Response to Office Action and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date AUGUST 4, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Label number EV 763 389 759 US addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: August 4, 2006

Adriane Giberson

Name of person mailing paper

  
Signature of person signing paper